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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/247,502	02/10/1999	CARY LEE BATES	IBM/72	7707

7590 01/17/2006

SCOTT A STINEBRUNER
WOOD HERRON & EVANS
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 452022917

EXAMINER

ENGLAND, DAVID E

ART UNIT PAPER NUMBER

2143

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/247,502	BATES ET AL.	
	Examiner	Art Unit	
	David E. England	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 22 February 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

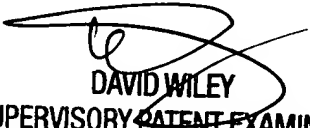
b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.


DAVID WILEY
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 2100

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DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 02/15/2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because, Applicant states that this communication was an Information Disclosure Statement that was previously filed. This IDS will not be considered because there is no record of these prior arts ever filed with this application. To further support this statement, the Application number in the communication and IDS 1449 is 09/232027, which is not this Application. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

DE



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100